

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRITTANIE ANN BOYER and
AMBER MARIE WILKINS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JODY BOYER,

Respondent-Appellant,

and

AARON WILKINS and SCOTT BRIDGE,

Respondents.

Before: Saad, P.J., and Hood and McDonald, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the probate court order terminating her parental rights to the minor children pursuant to a voluntary release by respondent-appellant. We affirm.

The probate court did not err in determining that it was without jurisdiction to consider respondent-appellant's petition for rehearing regarding the release of her parental rights because it was not filed within twenty-one days of entry of the termination order, MCL 710.64(1); MSA 27.3178(555.64)(1), *In re Myers*, 131 Mich App 160, 164; 345 NW2d 663 (1983), and because respondent-appellant had already filed a claim of appeal with this Court, MCR 7.208(A). Because respondent-appellant voluntarily released her parental rights, the probate court was not required to make a finding on whether termination was in the best interests of the children. See *In re Toler*, 193 Mich App 474, 478; 484 NW2d 672 (1992).

Affirmed.

/s/ Henry William Saad

/s/ Harold Hood

/s/ Gary R. McDonald